

COUNCIL



AGENDA

**THURSDAY, APRIL 21, 2016
COUNCIL CHAMBERS - CITY HALL – 7:00 P.M.**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **COMMUNICATIONS – CITIZENS**
 - A. Swearing In of Firefighters Evan Conklin, Dave Jansen, and Spencer Ripperger
 - B. Swearing In of Police Officers Andrew Roberts and James Vick
5. **CONSENT AGENDA**

The following items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

*** Items 6A-B Approval of City Council Minutes**

- A. Regular City Council Minutes – April 7, 2016
- B. In-Depth City Council Minutes – April 14, 2016

*** Items 8A-J – Petitions and Communications**

- A. Second reading for a Class “C” Liquor License and Outdoor Service for Clamshell, 406 Mississippi Drive – Gerardo Vasquez (pending inspections and insurance)
- B. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit and Sunday Sales for Creations by Oz, 110 East 2nd Street – Jeff and Melissa Osborne (pending inspections and insurance)
- C. Request on first and second reading for a Class “C” Liquor License for GM Mini Mart, 2307 Lucas Street – Nanak Express LLC (pending inspections)
- D. Request on first and second reading for a Class “C” Liquor License for GM Food Mart, 2881 Highway 61 – Nanak Express LLC (pending inspections)
- E. Request for renewal of a Class “C” Liquor License, Outdoor Service and Sunday Sales for Mike’s Hilltop Tap, 929 Lucas Street – Mike’s Hilltop Tap Inc. (pending inspections)
- F. Request for renewal of a Class “B” Wine Permit, Class “C” Beer Permit, Class “E” Liquor License and Sunday Sales for Wal-Mart Supercenter #559, 3003 North Highway 61 – Wal-Mart Stores Inc. (pending inspections)
- G. Request for renewal of a Class “E” Liquor License for Walgreens #05885, 1703 Park Avenue – Walgreen Co. (pending inspections)
- H. Request for renewal of a Class “C” Liquor License, Outdoor Service and Sunday Sales for El Allende, 1107 Grandview Avenue – El Allende Inc. (pending inspections and insurance)
- I. Request for renewal of a Class “B” Beer Permit and Sunday Sales for China Buffet, 1903 Park Avenue #48 – China Buffet of Muscatine Inc. (pending inspections and insurance)

- J. Request for Use of City Property for Safety Inspections and Race Packet Pickup for the Muscatine Soapbox Derby

This request is for the use of city property for the safety inspections and race packet pickup for the Muscatine Soapbox Derby to be held on Saturday, June 18, 2016, from noon to 3:00 p.m. and on Tuesday, June 21, 2016, from 5:30 to 7:30 p.m.

- * **Items 9A-B – From the Mayor**

- A. Appointment of Kent Ferris to the Civil Service Commission
- B. Proclamation Declaring May 1-7, 2016 as “Drinking Water Week”

- * **Items 12A-B – Receive and File**

- A. Muscatine County Board of Supervisors – April 4, 2016
- B. City of Muscatine Financial Reports – March 2016

- * **Bills***

- * Approval of attached Bills for Approval totaling \$2,818,194.68, which includes receipt summaries and journal entries for March 2016, is subject to the approval of any related agenda item(s).

6. MINUTES – APPROVAL

7. PUBLIC HEARING

- A. Public Comment on Muscatine Municipal Housing Agency Annual Plan and Capital Funding

At this time interested parties may offer their comments on the Muscatine Municipal Housing Agency Annual Plan and Capital Funding. This public comment period is required prior to approval of revisions to the Capital Fund Program Annual Statement.

Now is the time for the public to comment.

- B. Proposed Declaration of 1202 Indiana Street as Surplus Property and Authorizing for Its Disposal

This public hearing concerns the proposed declaration of 1202 Indiana Street as surplus property and authorizing for its disposal. This property was acquired by the

City of Muscatine in 2014 for back taxes. Since that time, the city has been maintaining the property through the nuisance abatement program. Prior to declaring this property as surplus, a public hearing is required.

Now is the time for the public to comment.

C. Proposed Declaration of 1111 Nebraska Street as Surplus Property and Authorizing for Its Disposal

This public hearing concerns the proposed declaration of 1111 Nebraska Street as surplus property and authorizing for its disposal. This property was acquired by the City of Muscatine in 2014 for back taxes. Since that time, the city has been maintaining the property through the nuisance abatement program. Prior to declaring this property as surplus, a public hearing is required.

Now is the time for the public to comment.

8. **PETITIONS AND COMMUNICATIONS**

9. **FROM THE MAYOR**

10. **FROM THE PLANNING AND ZONING COMMISSION**

A. Resolution Approving the Final Plat for Walker Way

Presented for City Council's consideration is a resolution approving the final plat for Walker Way. A request has been filed for a two-lot subdivision in unincorporated Muscatine County at 1866 Highway 38. The proposed subdivision will create a new one-acre lot (Lot 2) for the purpose of developing a new single family home. This proposed subdivision falls within the two mile limit requiring approval by City Council. The Planning & Zoning Commission unanimously recommends the approval of the proposed subdivision.

Is there a motion to adopt the resolution as submitted?

11. **FROM THE CITY ADMINISTRATOR**

A. Second and Final Reading of RAGBRAI Ordinance

Presented for City Council's consideration is the second and final reading of the RAGBRAI Ordinance. This ordinance is temporary in nature and will not be printed as part of the City of Muscatine's Code of Ordinances. The provisions of this ordinance shall be in effect upon passage by City Council and will remain in effect until 5:00 p.m. on July 31, 2016. Staff is recommending City Council waive its rules and adopt the ordinance on final reading and authorize its publication as required by law.

Is there a motion to adopt the ordinance on final reading and direct for its publication as required by law?

- B. Resolution Declaring 1202 Indiana Street as Surplus Property and Authorizing Disposal of Said Property

Presented for City Council's consideration is a resolution declaring 1202 Indiana Street as surplus property and authorizing the disposal of said property.

Is there a motion to adopt the resolution as submitted?

- C. Resolution Declaring 1111 Nebraska Street as Surplus Property and Authorizing Disposal of Said Property

Presented for City Council's consideration is a resolution declaring 1111 Nebraska Street as surplus property and authorizing disposal of said property.

Is there a motion to adopt the resolution as submitted?

- D. Resolution Setting Public Hearing to Declare Real Estate at 303 Brook Street as Surplus Property and Offering Said Real Estate for Sale

Presented for City Council's consideration is a resolution setting a public hearing to declare real estate at 303 Brook Street as surplus property and offering said real estate for sale. The parcel was acquired by the City of Muscatine in 1984 and since that time, it has been maintained by the city. Prior to declaring this property as surplus, a public hearing is required. This hearing will take place on Thursday, May 5, 2016, at 7:00 p.m.

Is there a motion to adopt the resolution as submitted?

- E. Resolution Setting Public Hearing to Declare Real Estate at 307 Brook Street as Surplus Property and Offering Said Real Estate for Sale

Presented for City Council's consideration is a resolution setting a public hearing to declare real estate at 307 Brook Street as surplus property and offering said real estate for sale. The parcel was acquired by the City of Muscatine in 1984 and since that time, it has been maintained by the city. Prior to declaring this property as surplus, a public hearing is required. This hearing will take place on Thursday, May 5, 2016, at 7:00 p.m.

Is there a motion to adopt the resolution as submitted?

F. Resolution Setting Date for Sale of General Obligation Corporate Purpose and Refunding Bonds Series 2016 and Authorizing Use of Preliminary Official Statement in Connection Therewith

Presented for City Council's consideration is a resolution setting the date for sale of General Obligation Corporate Purpose Refunding Bonds Series 2016 and authorizing use of Preliminary Official Statement in connection therewith. City Council has previously taken action to approve the up to \$4.6 million bond issue to be dated May 26, 2016 to refund the final two years of principal payments on the Series 2008-A bond issue and to finance various city capital projects that are either underway or will be completed in the upcoming year. The sale date for these bonds is May 5, 2016.

Is there a motion to adopt the resolution as submitted?

G. Resolution Awarding Bid and Approving Contract and Bond for the Harbor Rip-Rap Maintenance Project

Presented for City Council's consideration is a resolution awarding the bid and approving the contract and bond for the Harbor Rip-Rap Maintenance Project. Ten bids were received for the project with the low bid from Legacy Corporation in the amount of \$98,980. There is \$70,000 budgeted for this phase of the REAP grant projects. Savings in other Parks Department capital purchases will fund the balance of the cost for this project.

Is there a motion to adopt the resolution as submitted?

H. Resolution Approving Contract and Bond for the Muscatine Art Center/Museum HVAC Replacement and Miscellaneous Window Renovations Project

Presented for City Council's consideration is a resolution approving the contract and bond for the Muscatine Art Center/Museum HVAC Replacement and Miscellaneous Window Renovations Project. City Council awarded the bid to Crawford Company at the March 3, 2016 in the amount of \$1,590,520 which included the base bid of \$1,252,870 and Alternates #1 and #3 totaling \$337,650.

Is there a motion to adopt the resolution as submitted?

I. Resolution Awarding Contract for the Community Development Block Grant Storm Water Project

Presented for City Council's consideration is a resolution awarding the contract for the Community Development Block Grant Storm Water Project. Two bids were received with the low bid from Triple B Construction Corporation in the amount of \$69,558 which is over the engineer's estimate of \$52,000. Staff has met with Triple B to determine how the cost of improvements can be reduced while still achieving the scope of the project. They have verbally committed to approving deductive change orders to adjust design and quantities to bring the project within budget. The grant administrator, Southeast Iowa Regional Planning Commission, recommends the contract be awarded to Triple B Construction Corporation.

Is there a motion to adopt the resolution as submitted?

J. Request Authorization to Submit Grant Application for Funding of the T-Hangar Apron Expansion Project

Presented for City Council's consideration is a request to authorize submission of a grant application for funding of the T-Hangar Apron Expansion Project. Staff is requesting approval to submit a grant application for t-hangar design and t-hangar apron expansion. The total grant request is \$250,000. The state would fund 85% (\$212,500) of the project with 15% (\$37,500) contributed as the local match. The local match funding source would need to be determined if the grant would be awarded. This funding will allow the city to design all phases of the project as well as begin construction of Phase I of the expansion project.

Is there a motion to approve the request as submitted?

K. Request to Approve the Proposed Urban Chicken Pilot Program

Presented for City Council's consideration is a request to approve the Proposed Urban Chicken Pilot Program. A power point presentation was given at the April In-Depth meeting going over in detail the various aspects of the proposed program. Staff is requesting City Council approve the proposed Pilot Program for a two-year period.

Is there a motion to approve the request as submitted?

L. Request to Approve Conversion of E. 2nd Street from a One-Way to a Two-Way Street between Pine Street and Mulberry Avenue

Presented for City Council's consideration is a request to approve the conversion of E. 2nd Street from a one-way to a two-way street between Pine Street and Mulberry Avenue. Due to the upcoming Mississippi Drive Corridor Project, a detour is needed that will minimize the impact of the project on the downtown businesses. The current

plan is to start the conversion, if approved, as soon as possible in order for the conversion to be completed prior to the corridor project.

Is there a motion to approve the request as submitted?

M. Request to Approve Operations Contract for the Muscatine County Landfill

Presented for City Council's consideration is a request to approve the operations contract for the Muscatine County Landfill. Five proposals were received with the proposal from Dick Doyle Excavating being \$84,000 lower per year than the next lowest proposal. The Doyle proposal met the insurance and other requirements of the Request for Proposal.

Is there a motion to approve the request as submitted?

N. Request to Authorize Lease of New Copier for the Community Development Department

Presented for City Council's consideration is a request to authorize the lease of a new copier for the Community Development Department. The five-year lease on the current copier ends this spring. With the average monthly usage of 4,000 copies, the current monthly lease payment and average copy charges total \$142.94 per month. The lease payment and average copy charges for the new copier totals \$118.85 per month with an estimated monthly usage of 4,000 copies. This is an average monthly savings of \$24.09 per month.

Is there a motion to approve the request as submitted?

O. Request from Fire Department to Purchase Thermal Imager Cameras

Presented for City Council's consideration is a request from the Fire Department to purchase Thermal Imager Cameras. Two cameras were lost and destroyed during a recent fire and an insurance claim was processed for the loss of the equipment. Two quotes were received for replacement of these cameras with the low quote from Sandry Fire Supply in the amount of \$16,398 for two cameras. After the insurance reimbursement, cost for the purchase will be \$6,400.

Is there a motion to approve the request as submitted?

- P. Request to Approve 2017 Annual Plan and Capital Fund Annual Statement and Authorize Mayor to Sign PHA Certification of Compliance with PHA Plans and Related Regulations Including Civil Rights and PHA Plan Elements that have Changed and Civil Rights Certification

Presented for City Council's consideration is a request to approve the 2017 Annual Plan and Capital Fund Annual Statement and to authorize the Mayor to sign PHA Certification of Compliance with PHA Plans and related regulations including Civil Rights and PHA Plan Elements that have changed and Civil Rights Certification. The required public comment period ended upon completion of the public hearing held earlier in the meeting. The Housing Agency is also required to consult with the Resident Advisory Board (RAB) as part of the comment period. A RAB meeting was conducted on March 22, 2016, and no comments were received.

Is there a motion to approve the request as submitted?

- Q. Request to Approve Acceptance of United Way Grant for Operation of the Sunset Park Education Center and Authorizing Mayor and Housing Administrator to Sign the Partner Agency Agreement

Presented for City Council's consideration is a request to approve acceptance of a United Way Grant for operation of the Sunset Park Education Center and to authorize the Mayor and Housing Administrator to sign the Partner Agency Agreement. The United Way of Muscatine has awarded \$23,800 for the fiscal year 2016/2017 operations for this program.

Is there a motion to approve the request as submitted?

- R. Request from City Council Member to Engage City Attorney to Prepare Draft Amendments to the City Code

At this time discussion will take place concerning proposed draft amendments to the City Code.

- S. Request to Approve Purchase of Two Stalker Radar Units

Presented for City Council's consideration is a request to approve the purchase of two Stalker radar units. These two units will replace two of the older units currently in service. The cost for the purchase of two new Stalker radar units is \$5,732. There is \$5,400 budgeted for this purchase.

Is there a motion to approve the request as submitted?

T. Request to Approve LIFTS Grant Agreement for Multi-Modal Port Facility Feasibility Study

Presented for City Council's consideration is a request to approve the LIFTS grant agreement for a multi-modal port facility feasibility study. In February the Iowa Department of Transportation awarded the city \$80,000 in Linking Iowa's Freight Transportation System (LIFTS) grant funds to conduct the feasibility study. The required 20% (\$20,000) match will come from private sources. Staff is requesting approval of the grant agreement.

Is there a motion to approve the request as submitted?

12. **COMMUNICATIONS - RECEIVE AND FILE**

13. **APPROVAL OF BILLS**

It is recommended bills totaling \$2,818,194.68, which includes receipt summaries and journal entries for March 2016, be approved and that the City Council authorize the Mayor and City Clerk to issue warrants for the same. It should be noted that this listing is subject to the approval of any related agenda item(s).

14. **COMMUNICATIONS - COUNCIL MEMBERS**

15. **OTHER BUSINESS**

16. **ADJOURNMENT**